

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Dana Boylan

Docket No. 5:15-CR-48-BO-5

Petition for Action on Supervised Release

COMES NOW John Seth Coleman, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Dana Boylan, who, upon an earlier plea of guilty to 21 U.S.C. §§ 846 and 841(b)(1)(B), Conspiracy to Distribute and Possess With the Intent to Distribute 500 Grams or More of Cocaine and 100 Kilograms or More of Marijuana, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on January 24, 2017, to the custody of the Bureau of Prisons for a term of 55 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months. Dana Boylan was released from custody on July 18, 2018, at which time the term of supervised release commenced.

On July 25, 2018, the Court modified the conditions of supervised release to include a psycho-sexual evaluation. This was due to a 2005 conviction for Incest, for which the defendant is still required to register as a sex offender in the state of North Carolina.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The psycho-sexual evaluation was completed on August 23, 2018, by Dr. Andreas Hernandez of NC Psychological Consultants. As a result of that evaluation, there was no sex offender specific treatment recommended, but it was recommended that the defendant submit to biannual polygraph examinations to monitor his compliance with the conditions of supervision. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. At the direction of the U.S. Probation Officer, the defendant shall submit to physiological testing, which may include, but is not limited to, polygraph examinations or other tests to monitor the defendant's compliance with probation or supervised release and treatment conditions.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.


/s/ Eddie J. Smith
Eddie J. Smith
Supervising U.S. Probation Officer

/s/ John Seth Coleman
John Seth Coleman
U.S. Probation Officer
150 Rowan Street Suite 110
Fayetteville, NC 28301
Phone: 910-354-2545
Executed On: September 12, 2018

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ORDER OF THE COURT

Considered and ordered this 12 day of September, 2018, and ordered filed and made a part of the records in the above case.


Terrence W. Boyle
U.S. District Judge